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**LATHAM & WATKINS LLP**

September 8, 2023

**VIA ECF**

The Honorable Lorna G. Schofield  
United States District Judge  
United States District Court  
Southern District of New York  
40 Foley Square  
New York, NY 10007

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Re: *UMG Recordings, Inc. et al. v. Internet Archive et al.*  
Civil Action No. 1:23-cv-07133-LGS-JW

Dear Judge Schofield,

We represent Defendants Internet Archive, Brewster Kahle, George Blood, and George Blood, L.P.

Pursuant to Rule I.B.3. of Your Honor's Individual Rules and Procedures for Civil Cases we write, jointly with counsel for Defendant Kahle/Austin Foundation, to respectfully request that Defendants Internet Archive, Brewster Kahle, George Blood, George Blood, L.P., and the Kahle/Austin Foundation's ("Defendants") time to answer, move, or otherwise respond to Plaintiffs' Complaint be extended to October 13, 2023.

Defendants Internet Archive, the Kahle/Austin Foundation, George Blood, and George Blood, L.P. were served on August 24, 2023. Their deadline to respond to Plaintiffs' Complaint is September 14, 2023. Defendant Brewster Kahle was served on August 31, 2023. His deadline to respond to Plaintiffs' Complaint is September 21, 2023. In view of the complexity of the claims asserted, and in the interest of ensuring a common response date for all Defendants, Defendants have sought Plaintiffs' assent to an extension of the time to respond to the Complaint, and Plaintiffs have agreed to the above-referenced date. Accordingly, Defendants respectfully request that the Court extend the response deadline to that date. This is Defendants' first request for an extension of time.

The parties are scheduled to appear before Your Honor for an initial pretrial conference on October 4, 2023, at 4:20 p.m. In light of Defendants' request to extend time to respond to the Complaint to October 13, 2023, the parties also respectfully request an adjournment of the initial pretrial conference and the filing of a joint letter and proposed case management plan until after Defendants have filed their responses to the Complaint. This is Defendants' first request for an adjournment.

LATHAM & WATKINS LLP

Respectfully Submitted,

/s/ Allison L. Stillman

Allison L. Stillman<sup>1</sup>  
of LATHAM & WATKINS LLP

*Counsel for Defendants Internet Archive,  
Brewster Kahle, George Blood, and  
George Blood, L.P.*

/s/ Jesse Lanier

Jesse Lanier  
of CONRAD | METLITZKY | KANE  
LLP\*

*Counsel for Defendant Kahle/Austin  
Foundation*

\**Pro hac vice forthcoming.*

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<sup>1</sup> Defendants Internet Archive, Brewster Kahle, George Blood, and George Blood, L.P. use electronic signatures with consent in accordance with Rule 8.5(b) of the Court's ECF Rules and Instructions.